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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/714,968 | 11/18/2003 | Zhen-Bang Chen | CHEN3604/BEU | 4588 |
| 23364 | 7590 | 06/01/2005 | EXAMINER | |
| BACON & THOMAS, PLLC 625 SLATERS LANE FOURTH FLOOR ALEXANDRIA, VA 22314 | | | DUONG, HUNG V | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2835 | |

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/714,968

Applicant(s)

CHEN ET AL.

Examiner

Hung v. Duong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7-13 and 15-18 is/are rejected.
- 7) ☒ Claim(s) 5, 6 and 14 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Hung V. Duong

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/18/03.

- 4) ☐ Interview Summary (PTO-413) PRIMARY EXAMINER
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4, 7-13, 15-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Coleman (US 2005/0075172).

Regarding claims 1-4, 7-13, 15-18 Coleman discloses a cover 23 for an electronic device having a housing 20, comprising: a flexible and integrally formed holding-sheath member 200 having a sleeve portion that extends around a periphery of the electronic device housing 20 such that an upper portion and a lower portion of the housing 200 of the electronic device is exposed, and a holding portion 24, 25 that may be gripped by a user of the electronic device to facilitate operation of the device by the user wherein the sleeve is generally circular and is arranged to fit around the periphery of a computer mouse wherein the holding-sheath member has a free-opening protection portion extending therefrom and arranged to protect at least one of a button, a switch or a connecting port wherein the device is selected from the group consisting of a

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computer mouse, track ball, keyboard, game controller, joystick, card reader, camera, and barcode reader wherein an inner face of the holding-sheath member includes a protrusion for engaging a corresponding opening in the electronic device to secure the cover to the electronic device .

Allowable Subject Matter

3. Claims 5-6, 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to show that an inner face of the holding-sheath member includes a protrusion for engaging a corresponding opening in the electronic device to secure the cover to the electronic device or that an inner face of the holding-sheath member has at least one rib for engaging a corresponding groove in the electronic device to secure the cover to the electronic device.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Motson (US Pat. 6,612,432) teaches universal case for portable electronic device.

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King-DeBaun (US Pat. 6,285,299) teaches soft cover adapter for computer keyboard.

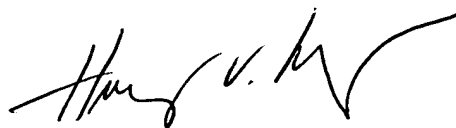
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung v Duong whose telephone number is 571-272-2041. The examiner can normally be reached on M-F from 8:30 to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Field can be reached on 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HVD

05/26/05.

A handwritten signature in black ink, appearing to read 'Hung v. Duong', with a stylized flourish at the end.

Hung Duong
Primary Examiner.